

SECOND REGULAR SESSION

SENATE BILL NO. 938

92ND GENERAL ASSEMBLY

INTRODUCED BY SENATOR GROSS.

Pre-filed December 11, 2003, and ordered printed.

TERRY L. SPIELER, Secretary.

3179S.02I

AN ACT

To repeal section 33.155, RSMo, and to enact in lieu thereof one new section relating to mandatory direct deposit of state employees' paychecks.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Section 33.155, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 33.155, to read as follows:

33.155. 1. The commissioner of administration and the state treasurer [may] shall establish an electronic funds transfer system to transfer directly into payees' accounts in financial institutions in payment of any account allowed against the state. **After January 1, 2005, the state shall pay all state employees' wages and salaries through an electronic funds transfer system. Unless one of the exceptions listed in subsection 2 of this section applies, all wages and salaries of state employees shall be transferred by means of electronic funds transfer directly into an employee's account in a financial institution designated by the employee. All persons who are state employees on August 28, 2004, and all persons who become state employees after August 28, 2004 shall complete a direct deposit application on such forms as the commissioner of administration and the state treasurer shall prescribe by joint rule. The direct deposit application shall authorize the office of administration to initiate credit entries, and debit entries to correct erroneous credit entries, to the employee's designated account. The commissioner of administration and the state treasurer shall promulgate rules to allow the employee to change the designated account at any time.**

2. The state may waive the mandatory direct deposit of wages and salaries

EXPLANATION—Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

for state employees in subsection 1 of this section if the commissioner of administration determines that any of the following applies:

(1) The employee has a physical or mental disability, as documented by a health care professional licensed in this state, that would impede the employee's ability to gain access to electronically deposited funds;

(2) The employee certifies that his or her religious convictions preclude the use of direct deposits;

(3) The employee is precluded from having a checking or savings account because his or her primary residence is too remote to have access to a financial institution;

(4) The employee's financial institution submits a written statement to the commissioner of administration confirming the institution's inability to accept an electronic deposit or withdrawal;

(5) The employee's financial institution submits a written statement to the commissioner of administration confirming that the institution charges for an electronic deposit or withdrawal;

(6) The employee does not have a checking or savings account currently and is unable to establish such an account within the employee's geographic area with the payment of a service fee;

(7) The employee does not have a checking or savings account currently and all financial institutions within the employee's geographic area charge a service fee to establish or maintain such an account unless the employee maintains a minimum balance in the account; or

(8) The commissioner of administration determines that the facts of the particular case warrant a waiver of the mandatory direct deposit of such employee's wages or salaries.

[2.] 3. A single transfer may contain payments to multiple payees.

[3.] 4. The commissioner of administration and the state treasurer, by joint rules, shall establish the standards and procedures for administering the system.